

IN THE UNITED STATES DISTRICT COURT
FOR THE ~~Middle~~ DISTRICT OF ALABAMA

2007 MAR -9 A 9:17

2:07 CV 210-T
DEMAND FOR JURY TRIAL

LARBIE HOPE

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

Inmate Identification Number: 181215

NOTICE TO FILING PARTY

It is your responsibility to
notify the clerk in writing
of any address change.
Failure to notify the clerk
may result in dismissal
of your case
without further notice.

(Enter above the full name(s) of the plaintiff(s)
in this action)

vs.

Richard Allen Commissioner OF (A.D.O.C.)
WARDEN ROWELL, Capt. Bolling, Capt. BARRETT,
LT. CLAY, SEGT. SMITH OFFICER PETTAWAY
OFFICER BARBER, OFFICER DENKINS ET. AL.

(Enter above full name(s) of the defendant(s)
in this action)

UNKNOWN CUBICLE OFFICER
TWO UNKNOWN OFFICER THAT
TOOK PHOTOS OF PLAINTIFF
AFTER INCIDENT ON DATE IN
QUESTION PER WARDEN ROWELL
INSTITUTIONAL INVESTIGATING
OFFICER ET. AL. IN THEIR
INDIVIDUAL AND OFFICIAL
CAPACITIES. ET. AL.

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes () No (☒)
- B. If your answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s):

Defendant(s):

SCANNED

RSR 3-9-07

2. Court (if Federal Court, name the district; if State Court, name the county) N/A
3. Docket number N/A
4. Name of judge to whom case was assigned N/A
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit N/A
7. Approximate date of disposition N/A

II. Place of present confinement Kilby CORRECTIONAL FACILITY (A.D.O.C.)

- A. Is there a prisoner grievance procedure in this institution?
Yes () No ()
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
Yes (☒) No ()
- C. If your answer is YES:
 1. What steps did you take? FILED WRITTEN COMPLAINT TO COMM. ALLEN WARREN BOWELL, CAPT. BOLLING CAPT. BARRETT LT. CLAY, SEGT. SMITH
 2. What was the result? NO RESPONSE FROM EITHER PARTY
- D. If your answer is NO, explain why not? _____

N/A

III. Parties

In item (A) below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) LARRIE HOPE

Address Kilby CORRECTIONAL FACILITY P.O. BOX 150
Mt. Meigs ALABAMA 36057

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant Commissioner Richard Allen

is employed as Commissioner

at Alabama Department of Correction Central Records Div.

C. Additional Defendants WARDEN ROWELL Capt. Bolling Capt. BARRETT
L.T. CLAY, Sgt. Smith Col PETHAWAY Col BARBER Col DENKINS
UNKNOWN NAMED CHIEF OFFICER INSTITUTIONAL INVESTIGATING
OFFICER OF INCIDENT, TWO UNKNOWN NAME OFFICER WHO TOOK
PHOTOS OF PLAINTIFF ON DATE IN QUESTION PER WARDEN ROWELL

IV. Statement of Claim

ET. AL.

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

CLAIMS - VIOLATIONS OF EIGHTH AND FOURTEENTH AMENDMENT OF U.S.
CONSTITUTION AND RETALIATION OF ALABAMA DEPT. OF CORRECTION
ASSOCIATED FACILITIES STEMMING FROM U.S. SUPREME COURT RULING
OF "HITCHING POST" CASE IN (2002). PLAINTIFF LARRIE HOPE V. MARK DEBER

Et. AL. 536 U.S. ~~2002~~ 2002). This complaint is being DATED
 by inmate legal Aid. On July 6, 2006 inmate LARRY HOPE WAS
 HOUSED in Kilby CORRECTIONAL FACILITY SEGREGATION UNIT. PLAINTIFF
 WAS HANDCUFFED AND ESCORTED TO SHOWER AREA FOR SHOWER by OFFICER
 PETTAWAY AND COL BARBER while in shower PLAINTIFF WAS SPEAKING
 TO ANOTHER inmate down the TEIR AT THAT Junction COL PETTAWAY
 STATED IF YOU dont
 RELIEF

V.

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

FIVE HUNDRED THOUSAND DOLLARS PUNITIVE DAMAGES - monetarily
 FIVE HUNDRED THOUSAND DOLLARS COMPENSATORY DAMAGES - monetarily
 DECLARATORY DAMAGES OF TRAINING IMPLEMENTATION, TRIAL BY JURY
 APPOINTMENT OF COUNSEL AND PLAINTIFF IS REQUESTING "FEDERAL
 PROTECTION DUE TO THREATS THAT (A.D.O.C.) OFFICIALS WE WILL KILL YOU
 BEFORE YOU ARE RELEASE!!!" PLAINTIFF IS REQUESTING AN INJUNCTION
 / TEMPORARY RESTRAINING ORDER BE PLACE ON A.D.O.C. Thank You
 "I declare under penalty of perjury that the foregoing is true and correct. YOUR HONOR.

Executed on _____

Larry Hope 181215

L-5-1A

P.O. BOX 150

MT. MEIGS ALABAMA 36057

Larry Hope
 Signature(s)

STOP TALKING GET YOUR MOTHER FUCKING ASS OUT OF THE SHOWER" AND PLAINTIFF RESPONDED BY STATING "I'LL STOP COUNT BUT YOU DONT HAVE TO TALK TO ME LIKE THAT, YOU KNOW YOU ^{Pg 2} ARE VIOLATING STANDARD OPERATION PROCEDURES OF OFFICERS ^{CLAIM} STANDARD OF CONDUCT - NOT TO USE ABUSIVE AND DEGRATORY LANGUAGE NOR THREATS OR ASSAULTIVE BEHAVIOR" AND AT THAT POINT COI PETTAWAY STATED SINCE YOU KNOW THE FUCKING RULES SO WELL SHUT THE FUCK UP AND GET YOUR ASS OUT OF THE SHOWER I'M GOING TO SHOW YOUR ASS SOMETHING AND ORDERED NORTH CONTROL CUBICLE OFFICER TO TURN THE SHOWER OFF" WELL OFFICER PETTAWAY AND OFFICER BARBER CAME UPSTAIRS TO THE SHOWER AND PETTAWAY HANDCUFFED PLAINTIFF AND THEY ESCORTED PLAINTIFF DOWNSTAIRS AND ONCE PLAINTIFF WAS BETWEEN B/C BLOCK WALL COI PETTAWAY GRABBED PLAINTIFF FROM BEHIND AND CHOKED HIM TO THE FLOOR AND ~~STARTED~~ STARTED PUNCHING PLAINTIFF IN FACE, HEAD AND SIDE, THEN COI PETTAWAY PLACED A BELT AROUND PLAINTIFF NECK AND TOLD HIM YOU GOT AWAY WITH YOUR HITCHING POST CASE BUT I'LL HANG YOUR ASS AND GET AWAY WITH IT HERE AT KILBY AND MY BOSSES WILL BACK MY PLAY AS COI BARBER KICKING ME IN THE SIDE AND STOMPING ME AS COI DENKINS STOOD BY AND REFUSE TO INTERVENE AND STOP THEM. WARDEN ROWELL, CAPT. BOLLING LT. CLAY, SGT. SMITH ALL ARRIVED AT THE SCENE MINUTES LATER AND WARDEN ROWELL ORDERED PLAINTIFF BE TAKEN TO

INFIRMARY FOR BODY CHART BY MEDICAL STAFF OF PRISON HEALTH

SERVICES AND APPROXIMATELY A FEW HOURS LATER TWO UNKNOWN

NAMED OFFICERS CAME TO E-BLOCK UNIT AND TOOK PICTURES

OF MY BODY OF BRUISES, ABRASIONS SWELLING ECT. IN WHICH

THIS CONDUCT OF OFFICERS VIOLATED PLAINTIFF U.S. CONSTITUTION

AMENDMENT RIGHTS EIGHTH - CRUEL AND UNUSUAL PUNISHMENT

RIGHT TO BE FREE FROM AND FOURTEENTH - DUE PROCESS AND

EQUAL PROTECTION OF THE LAW AND FAILURE TO PROTECT ON

SUPERVISOR SUPERIOR LIABILITY BECAUSE WARDEN ROWELL,

CAPT. BOLLING, CAPT. BARRETT, L.T. CLAY, SEGT. SMITH ARE

ALL AWARE OF THE ASSAULTIVE BEHAVIOR OF COI PETTAWAY

AND COI BARBER IN THE SEGREGATION / FACILITY UNIT AND

KILBY CORRECTIONAL FACILITY HAS A PRIOR HISTORY OF

ASSAULTIVE BEHAVIORS BY OFFICERS IN THE SEGREGATION

UNIT AND HAVE FAILED TO STOP THIS BEHAVIOR NOT DISCIPLINE

OFFICERS FOR THIS SUCH BEHAVIOR NOT REQUEST THEY

SURRENDER THEIR BADGES OF DUTIES. PLAINTIFF WAS

ALSO ATTACKED BY COI NORMAN AT ST. CLAIR CORRECTIONAL
FACILITY

in the PRESENCE OF Sgt. PETERSON ONCE TRANSFERED FROM LIMESTONE CORRECTIONAL FACILITY during the hitching Post Litigation AND COL NORMAN MENTION WE DONT CARE ABOUT NO hitching Post here WE'LL BEAT YOUR DAM BRAINS OUT HERE SO TELL THAT AND SUE.

Captain Simmons CREATED Another Situation AT ST. CLAIR stating Fuck the hitching Post you're AT ST. CLAIR AND I'm going TO KEEP YOU FUCKED UP I DONT CARE WHO YOU TELL AND HAD PLAINTIFF PLACED IN SEGREGATION MAXIMUM Custody. Plaintiff WAS LATER TRANSFERED TO HOLMAN CORRECTIONAL FACILITY IN SEGREGATION FOR 14(Fourteen) months without INCIDENT UNDER WARDEN GRANT CULLIVER but could NOT BE RELEASED FROM SEGREGATION due TO PLAINTIFF informing WARDEN CULLIVER OF AN ENEMY IN HOLMAN POPULATION Plaintiff WAS LATER TRANSFERED TO Kilby CORRECTIONAL FACILITY FOR the hitching Post TRIAL WHERE HE REMAINS IN SEGREGATION AT CURRENT STATE IN FEAR OF his life FROM STAFF AT FACILITY. Plaintiff HAVE RECEIVED NUMEROUS FABRICATED INFRACTIONS OF disciplinary ACTIONS WHICH CAUSES PLAINTIFF TO REMAIN IN SEGREGATION FOR THE PAST(3) YEARS WHICH CONSTITUTES CRUEL AND UNUSUAL Punishment

Plaintiff FEAR FOR his life And is REQUESTING FEDERAL PROTECTION ~~AND~~. In Junctional Temporary Count Pg 5 Claim RESTRAINING ORDER ORDERING THAT OFFICERS PETTAWAY, BARBER AND DENKINS ARE NOT TO BE IN PLAINTIFF PRESENCE AND NOT ALONE AND ARE TO NO LONGER SERVE PLAINTIFF FOOD, NOR SHOWER PLAINTIFF. Commissioner Richard Allen is AWARE OF THIS ASSAULTIVE BEHAVIOR AT KILBY CORRECTIONAL FACILITY BECAUSE THE SUPERIOR SUPERVISORS HAVE TO SEND A YEARLY REPORT OF SITUATIONS TO COMMISSIONER YEARLY AND I WROTE A COMPLAINT TO HIM PERSONALLY CONCERNING THIS SITUATION AND ASSAULTIVE BEHAVIOR AT KILBY CORRECTIONAL FACILITY. INSTITUTIONAL INVESTIGATORS FOR THE ALABAMA DEPARTMENT OF CORRECTIONS INVESTIGATED THE INCIDENT IN QUESTION BY INTERVIEWING PLAINTIFF.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A COPY OF THE FOREGOING HAVE BEEN SERVED ON THE FOLLOWING:

C/O THE CLERK

DISTRICT COURT OF MONTGOMERY COUNTY

P.O. BOX 711

MONTGOMERY ALABAMA 36101-0711

AND

C/O MR. ROWELL DEPUTY WARDEN

KILBY CORRECTIONAL FACILITY Admin Bldg

P.O. BOX 150

MT. MEIGS ALABAMA 36057

By PLACING COPY in the U.S. MAIL POSTAGE PRE PAID ON THE
DAY OF MARCH 6th 2007

Respectfully Submitted

Jamie Hope

LARRIE HOPE # 181215-L-4-1A

P.O. BOX 150

MT. MEIGS, ALABAMA 36057

"This correspondence is forwarded
from an Alabama State
have no...
Department of...
for the substance of...
communication."



Deborah D. HACKETT, CLERK
United States District Court
P.O. BOX 711

Montgomery, ALABAMA 36101-0711